

### **Remarks**

In the Board of Patent Appeals and Interferences Decision on Appeal (hereinafter "the Decision"), dated December 29, 2008, the Board affirmed the rejection of claims 14-15 and 17-18 under 35 U.S.C. § 112, first paragraph as not being enabled by the specification.

Applicants thank Examiner Davis and Examiner Helms for the helpful telephone conferences on February 21, 2008 confirming that an amendment to cancel claims 14-15 and 17-18 could be submitted (and would be entered) to expedite allowance of the subject application. Thus, claims 14-15 and 17-18 are canceled herein.

The Decision reversed the rejection of the claims 1-2, 4, 6-8, 17-18 and 53-57 under 35 U.S.C. § 101 (utility) and reversed the rejection of claims 1-2, 4, 6-8 and 53-57 under 35 U.S.C. § 112, first paragraph (enablement). Thus, claims 1-2, 4, 6-8 and 53-57 are presently in condition for allowance, which action is requested.

### **Conclusion**


It is the Applicants understanding that prosecution on the merits is closed, and that claims 1-2, 4, 6-8 and 53-57 are in condition for allowance. If anything further is required prior to the issuance of a Notice of Allowance, Examiner Davis and Helms are respectfully requested to contact the undersigned for a telephone interview.

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